

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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A SANTINI MOVING & STORAGE CO.,

Plaintiff,

19-cv-11112 (JGK)

- against -

BENCH OPINION

CAPITAL ONE FINANCIAL CORPORATION,

Defendant.

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JOHN G. KOELTL, District Judge:

For the reasons stated at the telephone conference on December 21, 2020, the defendant's motion to dismiss is **denied**. The Clerk is directed to close Docket No. 15.

The parties are directed to inform the Court by January 4, 2021 whether they would like to be referred to the Mediation Panel. If the matter is referred for mediation, the parties should advise the Court within 7 days after the conclusion of mediation whether the case has been settled. If the case is not referred to the Mediation Panel, the defendant should file its answer by January 15, 2021, and the parties should submit a Rule 26(f) Report by January 22, 2021.

**SO ORDERED.**

**Dated: New York, New York  
December 22, 2020**

/s/ John G. Koeltl  
John G. Koeltl  
United States District Judge